

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

5:04CR47

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	
)	
)	
EDWIN WAYNE WIKE)	
)	
Defendant.)	

**FINAL ORDER CONFIRMING
FORFEITURE**

WHEREAS, the defendant had pleaded guilty to and been convicted of possession with intent to distribute methamphetamine, a violation of 21 U.S.C. § 846;

WHEREAS, 21 U.S.C. § 853 allows for the forfeiture of property pursuant to that conviction;

WHEREAS, on March 30, 2006, the Court issued a Consent Order and Judgment of Forfeiture in which the defendant agreed to forfeit certain property to the United States;

WHEREAS, on July 27, 2006, the United States filed proof that it had properly published Public Notice of its intent to forfeit the property;

WHEREAS, on July 17, 2006, Penny Thompson filed a Petition claiming ownership of some of the property;

WHEREAS, the Court allowed the United States and Penny Thompson discovery concerning the Petition;

WHEREAS, discovery having apparently been completed, the Court issued an Order scheduling a hearing on October 8, 2008, at the Federal Courthouse in Statesville, North Carolina, to resolve the Petition;

WHEREAS, Penny Thompson was properly served with the Order scheduling the hearing;

WHEREAS, on October 8, 2008, Penny Thompson was properly called out by the Court but did not appear;

WHEREAS, the United States then made an oral Motion to Dismiss the Petition of Penny Thompson;

WHEREAS, the Court then granted the Motion.

WHEREAS, the United States has submitted evidence that it had never seized or had possession of four of the firearms (nos. 2, 3, 4, 9) claimed in the Petition by Penny Thompson;

WHEREAS, there are no other petitioners.

IT IS THEREFORE ORDERED:

In accordance with Rule 32.2(c)(2), the Consent Order and Judgment of Forfeiture of March 30, 2006, is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

The sum of approximately \$38,634 in United States currency seized on or about August 16, 2004, in Caldwell County, North Carolina;

Two handguns seized from defendant's vehicle on or about August 16, 2004, in Caldwell County, North Carolina, as follows:

One Taurus T-25 Pistol, SN: DNG4032;

One Smith & Wesson Revolver, SN: J955943; and,

Thirteen firearms seized from defendant's residence on or about August 16, 2004, in Caldwell County, North Carolina, as follows:

One Remington 22-250 Pistol, Model 777, SN: C6844173;

One Smith & Wesson .357 Magnum Revolver, SN: ACY4765

One Thompson Center Arms 223 Pistol, SN: NOT ON GUN

One Magnum Research 22-250 Pistol, SN: NOT ON GUN

One Smith & Wesson .357 Magnum Revolver, SN: BVC7226

One Fox Model B-12 Gauge Shotgun, SN: NOT ON GUN

One Browning .22 Caliber Rifle, SN: 02804PX126

One New England 20-Gauge Single Shot, SN: NB318099

One Thompson Center Arms .50 Caliber Muzzle Loader, SN: 1215


One Western Arms Ithica 16-Gauge Shotgun, SN: 29684

One Browning 12-Gauge Automatic Shotgun, SN: 1974RR151

One Browning 300 WIN MAG Bolt Action Rifle, SN: 341837NY757

One Remington 870 12-Gauge Pump Shotgun, SN: W051080V

Signed: October 27, 2008



Richard L. Voorhees
United States District Judge

